

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Mariam Succar

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kitay Law Offices
1810 Union Blvd., Allentown, PA 18109 (610) 776-1700

DEFENDANTS

Walmart, Inc. f/k/a Wal-Mart Stores, Inc. and Wal-Mart Stores East, L.P.

County of Residence of First Listed Defendant Benton County, AR
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER/STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. Sec. 2000e

Brief description of cause:

Discriminatory Discharge Based on Pregnancy/Sex

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

03/26/2019

SIGNATURE OF ATTORNEY OF RECORD

William P. Mansam

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

FILED MAR 26 2019

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 436-1/2 W. Turner Street, Apt. 3, Allentown, PA 18102

Address of Defendant: 702 SW 8th Street, Bentonville, Arkansas 72716

Place of Accident, Incident or Transaction: 3215 Commerce Center Blvd, Bethlehem, PA 18015

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 03/26/2019 William P. Mansour 318833
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☒ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability – Asbestos
- ☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, William P. Mansour, counsel of record or pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 03/26/2019 William P. Mansour 318833
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Mariam Succar

CIVIL ACTION

v.

Walmart, Inc. f/k/a Wal-Mart
Stores, Inc. and Wal-Mart Stores East,
L.P.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (✓)

03/26/2019
Date

William P. Mansour
Attorney-at-law

Plaintiff
Attorney for

(610) 776-1700

Telephone

(484) 350-3200

FAX Number

wmansour@kitaylegal.com

E-Mail Address

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARIAM SUCCAR,

Plaintiff,

v.

WALMART, INC. f/k/a WAL-MART
STORES, INC. and WAL-MART STORES
EAST, L.P.,

Defendants.

No. _____

CIVIL ACTION – LAW

COMPLAINT

NOW COMES, Plaintiff MARIAM SUCCAR (“Plaintiff”), by and through her undersigned counsel, who hereby complains against Defendants WALMART, INC. f/k/a WAL-MART STORES, INC. and WAL-MART STORES EAST, L.P. (collectively, “Defendants”) as follows:

INTRODUCTION

1. This sex and pregnancy-based employment discrimination action arises under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (“Title VII”). Specifically, as set forth in more detail herein, Plaintiff alleges that she was unlawfully discharged from her employment with Defendants because of her sex and pregnancy in violation of Title VII.

PARTIES

2. Plaintiff is an adult individual currently residing at 436 ½ West Turner Street, Apt. 3, Allentown, PA 18102.

3. Defendant WALMART, INC. f/k/a WAL-MART STORES, INC. is publically-traded American multinational retail corporation that owns and operates a chain of retail stores,

discount stores, grocery stores, and supermarkets. WALMART, INC.'s headquarters are located at 702 SW 8th Street, Bentonville, Arkansas 72716.

4. Defendant WAL-MART STORES EAST, L.P. is a wholly-owned subsidiary of Defendant WALMART, INC. f/k/a WAL-MART STORES, INC.. WAL-MART STORES EAST, L.P. owns and operates various "Walmart" stores throughout the United States. Its headquarters are located at 601 N. Walton Boulevard, Bentonville, Arkansas 72716.

JURISDICTION AND VENUE

5. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. § 1331 because this action arises under the laws of the United States.

6. Venue in this district is proper under 28 U.S.C. § 1391(b)(2) and 42 U.S.C. § 2000e-5(f)(3) because the events giving rise to this action occurred within this district.

7. On July 23, 2018, Plaintiff timely filed a Charge of Discrimination against Defendants with the United States Equal Employment Opportunity Commission ("EEOC").

8. On February 14, 2019, the EEOC issued a Dismissal and Notice of Rights to Plaintiff, a copy of which is attached hereto as **EXHIBIT A**. This action is being commenced within ninety (90) days of Plaintiff's receipt of that Notice.

FACTUAL ALLEGATIONS

9. Plaintiff began working for Defendants on October 1, 2012 as a Cashier at Store #2145 located in Whitehall, Pennsylvania. In August 2014, she transferred to Distribution Center #7356 located in Bethlehem, Pennsylvania and worked most recently as a Packer.

10. As a Packer at Distribution Center #7356, Plaintiff typically worked Monday through Thursday from 7:00 a.m. to 5:30 p.m. At the time of her termination, she was earning a base hourly wage of \$18.25 per hour, plus various fringe benefits.

11. During her employment with Defendants, Plaintiff's job performance exceeded expectations. Indeed, in October 2017, Defendants presented Plaintiff with a certificate to celebrate 5 years of her "loyalty, dedication and hard work." Later, in January 2018, she was presented with a "Certificate of Appreciation" in recognition of her "service to the local community." Copies of these certificates are attached hereto as **EXHIBIT B**.

12. Defendants' attendance policy requires employees to report to work four (4) minutes before the start of their shifts and to clock in when their shifts start. If an employee arrives late or leaves early, Defendants' policy mandates the issuance of an "occurrence."

13. The accumulation of a certain number of "occurrences" triggers a "step" in the disciplinary process. Upon information and belief, there are three such "steps." Typically, several occurrences are needed before a "step" is reached and, as a general rule, employees are not terminated until reaching the third "step." Every six (6) months, one "occurrence" is removed from the employee's record.

14. In the six (6) months prior to her termination on June 6, 2018, Plaintiff had been tardy on two (2) occasions and received an "occurrence" for each of those occasions. Upon information and belief, she had not received enough "occurrences" to trigger even the first "step" of Defendants' disciplinary process.

15. On or about June 1, 2018, Plaintiff learned she was pregnant. As a result of her pregnancy, she experienced episodes of severe nausea and heartburn on a daily basis.

16. On June 5, 2018, Plaintiff informed her manager, Joe Bealer, that she was pregnant.

17. On June 6, 2018, as Plaintiff was driving to work, she was forced to pull over twice to vomit because of the severe nausea she was experiencing that morning.

18. On that same date, Plaintiff arrived to work and entered the premises at precisely 7:00 a.m. Plaintiff knew it was 7:00 a.m. because she looked at her cell phone clock just before entering the building and she looked at the punch-in clock on the wall just after entering the building. Both showed the time being 7:00 a.m.

19. Without clocking in, Plaintiff immediately reported directly to Bealer. She told him that she did not clock in and explained that she did not arrive prior to 7:00 a.m. because she vomited twice during her commute to work that morning.

20. Bealer asked Plaintiff twice what time she arrived, to which Plaintiff replied: "7:00 a.m." Bealer then asked why Plaintiff did not clock in, and Plaintiff responded that she did not clock in because she was not feeling well due to her pregnancy. Bealer agreed, stating "You look very pale."

21. Plaintiff told Bealer that she would prefer to take the day off, but that she was afraid of receiving an "occurrence," so she would try to complete her shift. She then reported to her station and began working.

22. Around 11:00 a.m. that day, Bealer called Plaintiff to his office and asked her to write down exactly why she was late that morning. Plaintiff complied and wrote that she was late because she vomited twice during her commute to work that morning due to complication with her pregnancy. Bealer then said he was going to give Plaintiff's written statement to Human Resources and that they were going to investigate the matter.

23. About thirty (30) minutes later, Plaintiff began feeling worse and felt like she was going to faint. She tried to find Bealer to ask if she could go home, but she could not find him.

24. Shortly thereafter, Plaintiff was called into the Human Resources office to meet with Bealer, another manager named "Heather," and a Human Resources supervisor.

25. During this meeting, Bealer accused Plaintiff of “stealing company time” by allegedly reporting for work that day at 7:03 a.m. and by failing to clock in. She reiterated that she arrived at 7:00 a.m., but nevertheless apologized for being late.

26. Plaintiff began crying and, again, explained to Bealer and the others that she arrived later than usual because she vomited twice during her commute to work that morning due to complications with her pregnancy. She begged Bealer and the others to give her a chance to obtain paperwork from her doctor, but they refused.

27. Instead of issuing Plaintiff an “occurrence” for her alleged tardiness, as their policy dictates, Defendants terminated Plaintiff’s employment effective immediately. Plaintiff was required to turn in her badge and escorted from the building by Bealer.

28. Upon information and belief, male employees and other non-pregnant female employees would have received, and in fact did previously receive, an “occurrence” for similar tardiness without being terminated. Indeed, prior to becoming pregnant, Plaintiff, herself, received only an “occurrence” for prior instances of tardiness.

COUNT I
DISCRIMINATORY DISCHARGE IN VIOLATION OF
42 U.S.C. § 2000e-2(a)(1), TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

29. Plaintiff incorporates by reference all preceding allegations as if same were set forth more fully at length herein.

30. Plaintiff was a member of a protected class because she was female and pregnant.

31. At the time of her discharge, Plaintiff was performing her job satisfactorily and had not been disciplined in relation to her job performance or attendance.

32. Plaintiff was discharged from her employment with Defendants on June 6, 2018 for allegedly reporting late to work and/or incorrectly reporting the time she arrived at work.

33. Upon information and belief, other male and/or non-pregnant employees had not been discharged from their employment for reporting late to work and/or incorrectly reporting the time they arrived at work.

34. Upon information and belief, the employee hired to replace Plaintiff was either male or a non-pregnant female.

35. Defendants discharged Plaintiff from her employment because of her sex and pregnancy.

36. Defendants discharged Plaintiff from her employment because they knew she was pregnant and did not want to accommodate her pregnancy and related medical issues in the future.

37. Defendants did not have any legitimate, non-discriminatory reason for discharging Plaintiff from her employment.

38. Defendants' discharged Plaintiff from her employment intentionally and in reckless disregard for Plaintiff's rights under federal law.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter judgment in her favor and against Defendants, jointly and severally, and award the following relief:

- a. All back pay from the date of termination through the date of judgment, plus pre- and post-judgment interest;
- b. Front pay from the date of judgment through a date deemed equitable and just by the court;
- c. Compensatory damages in an amount to be determined by a jury;
- d. Punitive damages in an amount to be determined by a jury;
- e. All costs and reasonable attorney's fees; and
- f. Any other relief deemed proper and just.

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff Mariam Succar demands a trial by jury for all claims so triable.

Respectfully Submitted,

KITAY LAW OFFICES

BY:

William P. Mansour
William P. Mansour, Esquire
Pa. Attorney ID No. 318833
Kitay Law Offices
1810 Union Blvd.
Allentown, PA 18109
P: (610) 776-1700
Email: wmansour@kitaylegal.com

Attorney for Plaintiff Mariam Succar

Dated: March 26, 2019

EXHIBIT A

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Mariam Succar**
436 1/2 W Turner St, Apt 3
Allentown, PA 18102

From: **Philadelphia District Office**
801 Market Street
Suite 1300
Philadelphia, PA 19107



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

530-2018-04932**Legal Unit****(215) 440-2828****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Jamie R. Williamson,
District Director

2/14/2019

(Date Mailed)

Enclosures(s)

cc:

Maile Gilmore
Walmart c/o Littler Mendelson, P.C. - GSC (LCS)
2301 McGee Street
Suite 800
Kansas City, MO 64108

William Mansour
KITAY LAW OFFICES
Po Box 14234
Reading, PA 19612

EXHIBIT B



years

MARIAM

SUCCAR

October 2017

to be a member of the *Phrynosoma* genus, which is a very different group of lizards. The authors also found that the *Phrynosoma* group is more closely related to the *Uta* group than to the *Phrynosoma* group, which is a very different group of lizards. The authors also found that the *Phrynosoma* group is more closely related to the *Uta* group than to the *Phrynosoma* group, which is a very different group of lizards.

Our people make the difference.

Wm. F. Fenn

Cheng, J. 2000. *China's Foreign Investment*. Beijing: China Development Press.

CONCLUSIONS

1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 26